srp.

**HIGH COURT OF JUDICATURE AT BOMBAY**
**CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 1789 OF 2001.**

Maruti Naru patil
deceased by heirs & Anr. ..Petitioners.
Versus.

Rangrao Yashwant Patil. ..Respondent.

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N. J. Patil for the petitioner.

Rajiv Patil for the respondent.

**CORAM: S. B. MHASE &**
**R.S.MOHITE, JJ.**

**DATE: APRIL 17, 2007.**

**P.C.**

1. Today parties are present before this Court. Their advocates are also present. They have submitted the consent terms. The same are taken on record and marked "X" for identification. The parties submit that they have understood the terms of settlement and thereafter signed it. We find that the parties have voluntarily entered into terms of settlement. Parties submit that the terms of the settlement were explained to them in Marathi by their Advocates and they have understood the contents and thereafter signed the same. Therefore, we accept the consent terms.

2. This writ petition is listed before us in

view of the order passed by the learned Single Judge (Coram: F.I.Rebello, J.) of this Court on 12.4.2001 making a reference to the Division Bench disagreeing with the judgment delivered by the Single Judge of this Court in Writ Petition No. 1473 of 1981 decided on 23.10.1997 in the matter of Ganpat Kerba Khot v/s. Dattatraya Narayan Joshi reported in 1998(1) Mah. L.J. 807. It was necessary to decide the said reference for deciding the legal controversy involved in the present matter. However, while the reference is pending the parties have settled the matter amicably between themselves. We find that they have settled the dispute voluntarily. And, since the parties have settled the dispute, we refrain from answering the reference and instead we dispose of this Writ Petition in terms of the consent terms referred to above and accepted by us. The Office is accordingly directed to draw the final writ in the matter. Writ Petition is accordingly disposed of.

**(R.S.MOHITE, J.)** **(S.B.MHASE, J.)**